

Title	Family Law: Confidential Declaration of Social Security Number; (adopt form FL-102; revise forms FL-115 and FL-117)
Summary	Family Code section 2024.5, effective January 1, 2004, requires the Judicial Council to adopt a separate one-page document that is filed with any petition or response in a dissolution, legal separation, or annulment action. The form should contain the social security numbers of the parties and inform the parties that they may redact the social security numbers from any future filings in the family law action.
Source	Family and Juvenile Law Advisory Committee Hon. Mary Ann Grilli and Hon. Susan Huguenor, Co-chairs
Staff	Bonnie Hough, 415-865-7668, bonnie.hough@jud.ca.gov
Discussion	<p>New mandatory form FL-102, <i>Confidential Declaration of Social Security Number (Family Law)</i> is designed to meet the requirement of new Family Code section 2024.5. This section provides that any petition or response in a dissolution, legal separation, or nullity action must include a separate one-page document that lists all relevant social security numbers known to the party that pertain to the petitioner, respondent, and any minor child of the parties. The form should be placed in the confidential portion of the court file, and may not be disclosed except for good cause shown to the court.</p> <p>The statute further provides that the Judicial Council form must contain a notice that the parties may redact the social security numbers placed in the confidential portion of the court file from pleadings, attachments, documents or other material filed with the court only after the form is filed.</p> <p>An exception is made to prevent a party from redacting a social security number on an <i>Abstract of Support Judgment</i> (form FL-480) or any similar form created by the Judicial Council or the California Department of Child Support Services for the purpose of collecting child support.</p> <p>Forms FL-115, <i>Proof of Service of Summons (Family Law, Uniform Parentage, Custody and Support)</i> and FL-117, <i>Notice and Acknowledgment of Receipt (Family Law)</i> are being revised to reflect service of this new required form.</p> <p>The proposed forms are attached at pages 2–5.</p>
	Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO. (<i>Optional</i>):</div> <div>FAX NO. (<i>Optional</i>):</div> </div> <div style="display: flex; justify-content: space-between;"> <div>E-MAIL ADDRESS (<i>Optional</i>):</div> <div></div> </div> <div style="display: flex; justify-content: space-between;"> <div>ATTORNEY FOR (<i>Name</i>):</div> <div></div> </div>	FOR COURT USE ONLY NOTICE TO CLERK Place in confidential part of the court file. <div style="font-size: 24pt; font-weight: bold;">DRAFT 3</div> <div style="font-size: 24pt; font-weight: bold;">11/06/03</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
CONFIDENTIAL DECLARATION OF SOCIAL SECURITY NUMBER	CASE NUMBER:

You are required to complete this *Confidential Declaration of Social Security Number* when you file a *Petition (Family Law)* (form FL-100) or *Response (Family Law)* (form FL-120).

You are required to provide the social security numbers for yourself, your spouse, and each of your children from this marriage on this form if you know them. This form will be kept in a confidential part of the court file and may not be disclosed without good cause shown to the court.

After you have completed this form, you may redact (block or cross-out) any social security number listed on this form from any future document or other written material filed with the court.

You may not redact or change any previously filed documents without a court order.

1. I am the ☐ petitioner ☐ respondent
2. My social security number is:
3. My spouse's social security number is:
4. The social security numbers for the children of this marriage are:

<u>Child's name</u>	<u>Social security number</u>
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT YOUR NAME)

(SIGN YOUR NAME)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO. (<i>Optional</i>): FAX NO. (<i>Optional</i>): E-MAIL ADDRESS (<i>Optional</i>): ATTORNEY FOR (<i>Name</i>):	FOR COURT USE ONLY <h1 style="text-align: center;">DRAFT 6</h1> <h1 style="text-align: center;">10/20/03</h1>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PROOF OF SERVICE OF SUMMONS	CASE NUMBER:

1. At the time of service I was at least 18 years of age and not a party to this action. I served the respondent with copies of:
- a. ☐ Family Law: *Petition* (form FL-100), *Confidential Declaration of Social Security Number* (form FL-102), *Summons* (form FL-110), and blank *Response* (form FL-120)
- or—
- b. ☐ Uniform Parentage: *Petition to Establish Parental Relationship* (form FL-200), *Summons* (form FL-210), and blank *Response to Petition to Establish Parental Relationship* (form FL-220)
- or—
- c. ☐ Custody and Support: *Petition for Custody and Support of Minor Children* (form FL-260), *Summons* (form FL-210), and blank *Response to Petition for Custody and Support of Minor Children* (form FL-270)
- and
- d. ☐ (1) ☐ Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form FL-105)
- (2) ☐ Completed and blank *Declaration of Disclosure* (form FL-140)
- (3) ☐ Completed and blank *Schedule of Assets and Debts* (form FL-142)
- (4) ☐ Completed and blank *Income and Expense Declaration* (form FL-150)
- (5) ☐ Completed and blank *Financial Statement (Simplified)* (form FL-155)
- (6) ☐ Completed and blank *Property Declaration* (form FL-160)
- (7) ☐ *Order to Show Cause* (form FL-300), *Application for Order and Supporting Declaration* (form FL-310), and blank *Responsive Declaration to Order to Show Cause or Notice of Motion* (form FL-320)
- (8) ☐ Other (*specify*):
2. Address where respondent was served:
3. I served the respondent by (*check proper box*)
- a. ☐ **personal service**, by personally delivering the copies to the respondent (Code Civ. Proc., § 415.10) on (*date*): _____ at (*time*): _____
- b. ☐ **substituted service**, by leaving the copies with or in the presence of (*name*): _____ who is (*title or relationship to respondent*): _____
- (1) ☐ (**business**) a person at least 18 years of age apparently in charge at the office or usual place of business of the respondent. I informed him or her of the general nature of the papers.
- (2) ☐ (**home**) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the respondent. I informed him or her of the general nature of the papers.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

3. b. on (date): _____ at (time): _____
 I thereafter mailed additional copies (by first-class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (date): _____
 A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.
- c. ☐ **mail and acknowledgment service**, by mailing the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid,
 on (date): _____ from (city): _____
 (1) ☐ with two copies of the *Notice and Acknowledgment of Receipt (Family Law)* (form FL-117) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt (Family Law)* (form FL-117).) (Code Civ. Proc., § 415.30.)
 (2) ☐ to an address outside California (by registered or certified mail with return receipt requested) (Attach signed return receipt or other evidence of actual delivery to the respondent.) (Code Civ. Proc., § 415.40.)
- d. ☐ **other (specify code section):**
☐ An additional page is attached.
4. The NOTICE TO THE PERSON SERVED on the *Summons* was completed as follows (Code Civ. Proc., §§ 412.30, 415.10, 474):
 a. ☐ As an individual
 b. ☐ On behalf of respondent who is:
☐ An individual (Code Civ. Procedure § 416.90) ☐ A ward or Conservatee (Code Civ. Proc., § 416.70)
☐ A minor (Code Civ. Procedure § 416.60) ☐ Other (specify): _____

5. **Person who served papers**

Name:

Address:

Telephone number:

I am

- a. ☐ exempt from registration under Business and Professions Code section 22350(b).
 b. ☐ not a registered California process server.
 c. ☐ a registered California process server:
 (1) ☐ Employee or independent contractor
 (2) Registration no.: _____
 (3) County: _____
 d. **The fee** for service was: \$ _____

6. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

—or—

7. ☐ **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

_____ (NAME OF PERSON WHO SERVED PAPERS)		_____ (SIGNATURE OF PERSON WHO SERVED PAPERS)
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY <h1 style="text-align: center;">DRAFT 9</h1> <h1 style="text-align: center;">10/20/03</h1>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER:	
NOTICE AND ACKNOWLEDGMENT OF RECEIPT (Family Law)	CASE NUMBER:

To: _____
 (Insert name of individual being served)

NOTICE

The documents identified below are being served on you by mail with this acknowledgment form. You must personally sign, or a person authorized by you must sign, this form to acknowledge receipt of the documents.

If the documents described below include a summons and you fail to complete and return this acknowledgment form to the sender within 20 days of the date of mailing, you will be liable for the reasonable expenses incurred after that date in serving you or attempting to serve you with these documents by any other methods permitted by law. If you return this form to the sender, service of a summons is deemed complete on the date you sign the acknowledgment of receipt below.

Date of mailing: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF SENDER – MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

(To be completed by sender before mailing)

I agree I received the following:

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>a. <input type="checkbox"/> Family Law: <i>Petition</i> (form FL-100), <i>Confidential Declaration of Social Security Number</i> (form FL-102), <i>Summons</i> (form FL-110), and blank <i>Response</i> (form FL-120)</p> <p>b. <input type="checkbox"/> Uniform Parentage: <i>Petition to Establish Parental Relationship</i> (form FL-200), <i>Summons</i> (form FL-210), and blank <i>Response to Petition to Establish Parental Relationship</i> (form FL-220)</p> <p>c. <input type="checkbox"/> Custody and Support: <i>Petition for Custody and Support of Minor Children</i> (form FL-260), <i>Summons</i> (form FL-210), and blank <i>Response to Petition for Custody and Support of Minor Children</i> (form FL-270)</p> | <p>d. <input type="checkbox"/> (1) <input type="checkbox"/> Completed and blank <i>Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)</i> (form FL-105)</p> <p>(2) <input type="checkbox"/> Completed and blank <i>Declaration of Disclosure</i> (form FL-140)</p> <p>(3) <input type="checkbox"/> Completed and blank <i>Schedule of Assets and Debts</i> (form FL-142)</p> <p>(4) <input type="checkbox"/> Completed and blank <i>Income and Expense Declaration</i> (form FL-150)</p> | <p>(5) <input type="checkbox"/> Completed and blank <i>Financial Statement (Simplified)</i> (form FL-155)</p> <p>(6) <input type="checkbox"/> <i>Order to Show Cause</i> (form FL-300), <i>Application for Order and Supporting Declaration</i> (form FL-310), and blank <i>Responsive Declaration to Order to Show Cause or Notice of Motion</i> (form FL-320)</p> <p>(7) <input type="checkbox"/> Other (specify): _____</p> |
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(To be completed by recipient)

Date this acknowledgment is signed: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT)

BILL NUMBER: SB 660 CHAPTERED
BILL TEXT

CHAPTER 154
FILED WITH SECRETARY OF STATE AUGUST 1, 2003
APPROVED BY GOVERNOR JULY 31, 2003
PASSED THE SENATE JULY 21, 2003
PASSED THE ASSEMBLY JULY 10, 2003
AMENDED IN ASSEMBLY JUNE 26, 2003
AMENDED IN SENATE MAY 6, 2003
AMENDED IN SENATE APRIL 21, 2003

INTRODUCED BY Senator Speier

FEBRUARY 21, 2003

An act to add Section 2024.5 to the Family Code, relating to court files.

LEGISLATIVE COUNSEL'S DIGEST

SB 660, Speier. Court files: confidentiality.

Existing law governs the management and preservation of trial court records and recognizes that court records are generally public records, unless a specific exception applies.

This bill would establish procedures for keeping the social security numbers of persons involved in specified dissolution matters in the confidential portion of court files. The bill would require specified Judicial Council forms to contain a notice informing parties of their right to redact any social security number that was placed in a confidential portion of the court file from other materials filed with the court. The bill would also make related changes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2024.5 is added to the Family Code, to read:

2024.5. (a) A petition for dissolution of marriage, nullity of marriage, or legal separation of the parties shall include a separate, one-page document that lists all relevant social security numbers known to the petitioner that pertain to the petitioner, respondent, and any minor child of the parties.

(b) The first responsive pleading filed in a proceeding for dissolution of marriage, nullity of marriage, or legal separation of the parties shall include a separate, one-page document that lists all relevant social security numbers known to the respondent that pertain to the petitioner, respondent, and any minor child of the parties.

(c) The list specified in subdivision (a) or (b) shall be placed in the confidential portion of the court file of the proceeding, and may not be disclosed except for good cause shown to the court.

(d) The Judicial Council form used to file a document specified in

subdivision (a) or (b) shall contain a notice that the parties may redact the social security numbers placed in the confidential portion of the court file from pleadings, attachments, documents, or other material filed with the court only after the document listing all relevant social security numbers is placed in the confidential portion of the court file.

(e) The petitioner or respondent may redact any social security number that was placed in the confidential portion of the court file pursuant to this section from any pleading, attachment, document, or other written material filed with the court only after the document listing all relevant social security numbers is placed in the confidential portion of the court file.

(f) An Abstract of Support Judgment or any similar form created by the Judicial Council or the Department of Child Support Services for the purpose of collecting child support payments is not subject to subdivision (e).